

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

RIPPLE LABS INC., BRADLEY
GARLINGHOUSE, and CHRISTIAN
A. LARSEN,

Defendants.

Case No. 20-CV-10832 (AT) (SN)

DECLARATION OF KYLIE CHISEUL KIM IN SUPPORT OF
DEFENDANTS' MEMORANDUM OF LAW IN OPPOSITION TO PLAINTIFF'S
OMNIBUS MOTION TO EXCLUDE THE TESTIMONY OF
DEFENDANTS' EXPERT WITNESSES

I, Kylie Chiseul Kim, hereby declare under penalty of perjury pursuant to 28 U.S.C.

§ 1746 as follows:

1. I am an associate at the law firm of Kellogg, Hansen, Todd, Figel & Frederick, P.L.L.C., and counsel to Defendant Ripple Labs Inc. I submit this declaration in support of Defendants' Memorandum of Law in Opposition to Plaintiff's Omnibus Motion To Exclude the Testimony of Defendants' Expert Witnesses.

2. Attached as **Exhibit 1** to this declaration is a true and correct copy of the Expert Report of Alan Schwartz dated Oct. 4, 2021.

3. Attached as **Exhibit 2** to this declaration is a true and correct copy of the Feb. 11, 2022 Deposition Transcript of Alan Schwartz.

4. Attached as **Exhibit 3** to this declaration is a true and correct copy of the Alan Schwartz Deposition Exhibit AS-5.

5. Attached as **Exhibit 4** to this declaration is a true and correct copy of the Expert Report of Allen Ferrell dated Oct. 4, 2021.

6. Attached as **Exhibit 5** to this declaration is a true and correct copy of the Feb. 23, 2022 Deposition Transcript of Allen Ferrell.

7. Attached as **Exhibit 6** to this declaration is a true and correct copy of the SEC's Responses and Objections to Ripple's First Set of Interrogatories dated July 1, 2021.

8. Attached as **Exhibit 7** to this declaration is a true and correct copy of the Feb. 18, 2022 Deposition Transcript of [REDACTED] (SEC Expert No. 5).

9. Attached as **Exhibit 8** to this declaration is a true and correct copy of the Amended Expert Report of [REDACTED] (SEC Expert No. 3) dated Oct. 13, 2021.

10. Attached as **Exhibit 9** to this declaration is a true and correct copy of the Expert Rebuttal Report of [REDACTED] (SEC Expert No. 3) dated Nov. 12, 2021.

11. Attached as **Exhibit 10** to this declaration is a true and correct copy of the Expert Report of [REDACTED] (SEC Expert No. 1) dated Oct. 4, 2021.

12. Attached as **Exhibit 11** to this declaration is a true and correct copy of the Expert Rebuttal Report of Allen Ferrell dated Nov. 12, 2021.

13. Attached as **Exhibit 12** to this declaration is a true and correct copy of the Feb. 15, 2022 Deposition Transcript of [REDACTED] (SEC Expert No. 3).

14. Attached as **Exhibit 13** to this declaration is a true and correct copy of the Supplemental Expert Report of Allen Ferrell dated May 13, 2022.

15. Attached as **Exhibit 14** to this declaration is a true and correct copy of the Supplemental Expert Report of [REDACTED] (SEC Expert No. 5) dated Feb. 28, 2022.

16. Attached as **Exhibit 15** to this declaration is a true and correct copy of the Amended Expert Report of [REDACTED] (SEC Expert No. 5) dated Oct. 6, 2021.

17. Attached as **Exhibit 16** to this declaration is a true and correct copy of the Expert Rebuttal Report of Daniel R. Fischel dated Nov. 12, 2021.

18. Attached as **Exhibit 17** to this declaration is a true and correct copy of the Feb. 28, 2022 Deposition Transcript of Daniel R. Fischel.

19. Attached as **Exhibit 18** to this declaration is a true and correct copy of the Supplemental Expert Report of Daniel R. Fischel dated May 13, 2022.

20. Attached as **Exhibit 19** to this declaration is a true and correct copy of the Expert Rebuttal Report of M. Laurentius Marais dated Nov. 12, 2021.

21. Attached as **Exhibit 20** to this declaration is a true and correct copy of the Dec. 21, 2021 Deposition Transcript of M. Laurentius Marais.

22. Attached as **Exhibit 21** to this declaration is a true and correct copy of the Supplemental Expert Report of M. Laurentius Marais dated May 13, 2022.

23. Attached as **Exhibit 22** to this declaration is a true and correct copy of the Expert Report of Peter Easton dated Oct. 4, 2021.

24. Attached as **Exhibit 23** to this declaration is a true and correct copy of the Dec. 8, 2021 Deposition Transcript of Peter Easton.

25. Attached as **Exhibit 24** to this declaration is a true and correct copy of the Expert Rebuttal Report of Peter Easton dated Nov. 12, 2021.

26. Attached as **Exhibit 25** to this declaration is a true and correct copy of the Expert Report of Bradley Borden dated Oct. 4, 2021.

27. Attached as **Exhibit 26** to this declaration is a true and correct copy of the Expert Report of Carol Osler dated Oct. 4, 2021.

28. Attached as **Exhibit 27** to this declaration is a true and correct copy of the Dec. 21, 2021 Deposition Transcript of Carol Osler.

29. Attached as **Exhibit 28** to this declaration is a true and correct copy of the Expert Rebuttal Report of Carol Osler dated Nov. 12, 2021.

30. Attached as **Exhibit 29** to this declaration is a true and correct copy of the Expert Report of Peter Adriaens dated Oct. 4, 2021.

31. Attached as **Exhibit 30** to this declaration is a true and correct copy of the Expert Report of Yesha Yadav dated Oct. 4, 2021.

32. Attached as **Exhibit 31** to this declaration is a true and correct copy of the Feb. 11, 2022 Deposition Transcript of Yesha Yadav.

33. Attached as **Exhibit 32** to this declaration is a true and correct copy of the Feb. 8, 2022 Deposition Transcript of Peter Adriaens.

34. Attached as **Exhibit 33** to this declaration is a true and correct copy of the Expert Rebuttal Report of Peter Adriaens dated Nov. 12, 2021.

35. Attached as **Exhibit 34** to this declaration is a true and correct copy of the Amended Expert Report of [REDACTED] (SEC Expert No. 4) dated Jan. 25, 2022.

36. Attached as **Exhibit 35** to this declaration is a true and correct copy of the Expert Rebuttal Report of Kristina Shampanier dated Nov. 12, 2021.

37. Attached as **Exhibit 36** to this declaration is a true and correct copy of the Feb. 16, 2022 Deposition Transcript of [REDACTED] (SEC Expert No. 1).


38. Attached as **Exhibit 37** to this declaration is a true and correct copy of the Dec. 20, 2021 Deposition Transcript of Kristina Shampanier.

39. Attached as **Exhibit 38** to this declaration is a true and correct copy of the Errata Sheet for the Dec. 20, 2021 Deposition Transcript of Kristina Shampanier.

I hereby declare under the penalty of perjury that, to the best of my knowledge, information, and belief, the foregoing is true and correct.

Dated: August 9, 2022
Washington, D.C.

By:


Kylie Chiseul Kim

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